

02/05/01

3583 U.S. PTO

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 400684

First Inventor Kaname ISHIBASHI

Title Method For Selectively Separating  
Live Cells Expressing A Specific  
Gene

Express Mail Label No.

31011 U.S. PTO

09/775016

02/05/01

**APPLICATION ELEMENTS**

1. ☒ Utility Patent Application Transmittal Form
2. ☐ Applicant claims small entity status. See 37 CFR 1.27.
3. ☒ Specification (including claims and abstract) [Total Pages 137]
4. ☒ Drawings [Total Sheets 135]
5. ☒ Combined Declaration and Power of Attorney [Total Pages 3]
  - a. ☒ Newly executed
  - b. ☐ Copy from prior application [Note Box 6 below]
    - i. ☐ Deletion of Inventor(s) Signed statement attached deleting inventor(s) named in the prior application
6. ☐ Incorporation by Reference: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b is considered as part of the disclosure of the accompanying application and is hereby incorporated by reference.
7. ☒ Application Data Sheet. See 37 CFR 1.76
8. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
9. Nucleotide and/or Amino Acid Sequence Submission
  - a. ☒ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☒ Paper Copy
  - c. ☒ Statement verifying identity of above copies
10. ☐ Applicant requests early publication. (include publication fee under 37 CFR 1.18(d))

**ADDRESS TO:**Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231**ACCOMPANYING APPLICATION PARTS**

11. ☒ Assignment Papers (cover sheet and document(s))
12. ☐ 37 CFR 3.73(b) Statement (when there is an Assignee)
13. ☒ Associate Power of Attorney
14. ☐ English Translation Document (if applicable)
15. ☒ Information Disclosure Statement (IDS)
  - ☒ Form PTO-1449
  - ☒ Copy of Listed Document
16. ☒ Preliminary Amendment & Specification as Preliminarily Amended
17. ☒ Return Receipt Postcard (Should be specifically itemized)
18. ☒ Certified Copies of Priority Documents(2)
19. ☐ Request & Certification Under 35 USC 122(b)(2)(B)(i) (Form PTO/SB/35 or its equivalent attached)
20. ☒ Petition To Accept Photographs As Drawing Under 37 CFR 1.84(b) & Fee

21. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information in (a) and (b) below:

(a) ☐ Continuation ☐ Divisional ☐ Continuation-in-part of prior application no. .  
Prior application information: Examiner ; Group Art Unit:

(b) Preliminary Amendment: Benefit of earlier filing date - 35 USC 120. The Commissioner is requested to amend the specification by inserting the following sentence before the first line:

"This is a ☐ continuation ☐ divisional ☐ continuation-in-part (CIP) of  
☐ Application No. , filed on , which is incorporated by reference."  
☐ International Application No. , filed on , which designates the U.S., and  
which is incorporated by reference."


## UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No. 400684

APPLICATION FEES				
BASIC FEE				\$710.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	9 -20=	0	x \$18.00	\$0.00
Independent Claims	1 - 3=	0	x \$80.00	\$0.00
<input type="checkbox"/> Multiple Dependent Claim if applicable			+ \$270.00	\$
Total of above calculations =				\$710.00
Reduction by 50% for filing by small entity =				\$( )
<input checked="" type="checkbox"/> Assignment fee if applicable			+ \$40.00	\$40.00
<input type="checkbox"/> Early publication fee if applicable			+ \$300.00	\$
TOTAL =				\$750.00

22. ☐ Please charge my Deposit Account No. 12-1216 in the amount of \$ .
23. ☒ A check in the amount of \$880.00 is enclosed.
24. The Commissioner is hereby authorized to credit overpayments or charge any additional fees of the following types to Deposit Account No. 12-1216:
- a. ☒ Fees required under 37 CFR 1.16.
- b. ☐ Fees required under 37 CFR 1.17.
25. ☐ The Commissioner is hereby generally authorized under 37 CFR 1.136(a)(3) to treat any future reply in this or any related application filed pursuant to 37 CFR 1.53 requiring an extension of time as incorporating a request therefor, and the Commissioner is hereby specifically authorized to charge Deposit Account No. 12-1216 for any fee that may be due in connection with such a request for an extension of time.

## 26. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number: 23548  <b>23548</b> <small>PATENT LANDMARK OFFICE</small>		<input checked="" type="checkbox"/> Xavier Pillai, Reg. No. 39,799 Leydig, Voit & Mayer, Ltd. 700 Thirteenth Street, N.W., Suite 300 Washington, D.C. 20005-3960 (202) 737-6770 (telephone) (202) 737-6776 (facsimile)
Name	Xavier Pillai, Registration No. 39,799	
Signature	<i>Xavier Pillai</i>	
Date	February 05, '01	

ApTml (Rev. 11/13/2000)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

ISHIBASHI et al.

Application No.: Unassigned

Art Unit: Unassigned

Filed: February 5, 2001

Examiner: Unassigned

For: METHOD FOR SELECTIVELY  
SEPARATING LIVE CELLS  
EXPRESSING A SPECIFIC  
GENE

**ASSOCIATE POWER OF ATTORNEY**

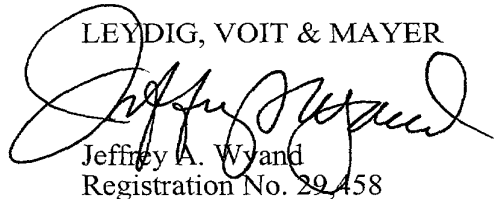
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

I, Jeffrey A. Wyand, attorney of record in the referenced patent application, grant  
an Associate Power of Attorney to XAVIER PILLAI, Registration Number 39,799.

Respectfully submitted,

LEYDIG, VOIT & MAYER



Jeffrey A. Wyand  
Registration No. 29,458

Suite 300  
700 Thirteenth Street, N.W.  
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Telephone: (202) 737-6770  
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Date: February 5, 2001  
JAW:kdd

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Art Unit: Unassigned

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**SUBMISSION OF SEQUENCE LISTING**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In accordance with the requirements of 37 CFR 1.821-1.825, a sequence listing is being submitted as part of the patent application. The sequence listing is in the form of both a paper copy and a computer readable copy on a computer diskette. The undersigned hereby verifies that the content of the paper copy and the computer readable copy, as concurrently being submitted, are the same.

Respectfully submitted,

LEYDIG, VOIT & MAYER, LTD.



Xavier Pillai, Ph.D.  
Registration No. 39,799

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